

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 3:09-00158-03

JASON P. BELCHER
also known as “Biz”

ORDER

Pending is the Defendant’s Motion for Post-Conviction Bond (Doc. 375). Pursuant to 18 U.S.C. § 3143(a)(2), a defendant convicted of an offense under the Controlled Substances Act carrying a maximum term of imprisonment of ten years or more may only be released on bond if: 1) there is a substantial likelihood that the defendant’s motion for acquittal or new trial will be granted or the Government recommends that no sentence of imprisonment be imposed or that exceptional circumstances exist for not detaining the defendant; and (2) there is clear and convincing evidence that the defendant is not likely to flee and not likely to pose a danger to any other person or to the community if released. 18 U.S.C. 3143(a)(2), 3145(c).

In the present case, Mr. Belcher has been convicted of offenses under the Controlled Substances Act, which carry a maximum term of imprisonment in excess of ten years. Based on the record, the Court cannot make the requisite findings for his release on bond. Defendant Belcher’s Motion for Post-Conviction Bond is **DENIED**.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel and the defendant, the U.S. Attorney's Office, the U.S. Probation Office, and the U.S. Marshals' Service.

ENTER: May 26, 2010

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', is written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE